

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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MARK ELLIOTT, :  
Plaintiff, : Civil No. 12-4775 (SRC)  
v. :  
JOSEPH PERFILLIO, J.S.C., :  
et al., :  
Defendants. :  
:

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**MEMORANDUM AND ORDER**

IT APPEARING THAT:

1. On July 31, 2012, the Clerk docketed the instant Complaint (docket entry no. 1), which was not accompanied by a completed application to proceed in forma pauperis, including a certified six-month account statement ("IFP") or the \$350.00 filing fee.
2. In light of Plaintiff's failure to submit a IFP application or prepay the filing fee, this Court issued a Memorandum & Order, dated August 7, 2012, (docket entry no. 3), to administratively terminate the matter, but allowing Plaintiff leave to reopen if he submits a completed IFP application or pays the filing fee.
3. On August 15, 2012, the Clerk of the Court received an IFP application from Plaintiff (docket entry no. 4). While that application does include account information, the

application remains incomplete since it fails to include a full six-month account statement certified by the appropriate official of each facility at which he Plaintiff was incarcerated prior to filing this matter as required by 28 U.S.C. § 1915(a)(2). The materials appear to be an assortment of financial information for a "Mark Thomas Bourne." It is unclear whether this person is the "Mark Elliott" who has filed as the Plaintiff in this matter. Even if "Mark Thomas Bourne" is shown to be "Mark Elliott," the materials submitted remain insufficient to support his IFP application.

4. Accordingly, the application for IFP shall be denied.

THEREFORE, it is on this 5 day of Sept, 2012; ORDERED that the Clerk shall reopen this matter by making a new and separate entry on the docket reading "CIVIL CASE REOPENED"; and it is further

ORDERED that Plaintiff's Application to proceed in forma pauperis is DENIED; and it is further

ORDERED that the Clerk of the Court shall administratively terminate this case, without filing the Complaint or assessing a filing fee; and it is further

ORDERED that if Plaintiff wishes to reopen this action, he shall so notify the Court, in writing addressed to the Clerk of the Court, M.L. King, Jr. Federal Bldg. & U.S. Courthouse, 50

Walnut Street, Newark, New Jersey, 07102, within 30 days of the date of entry of this Order; Plaintiff's writing shall include either (1) a complete in forma pauperis application, including an affidavit of indigence and six-month prison account statement, certified by the appropriate official of each prison at which the prisoner is or was confined, or (2) the \$350 filing fee; and it is further

ORDERED that the Clerk shall close the file on this matter by making a new and separate entry on the docket reading "CIVIL CASE CLOSED".



STANLEY R. CHESLER  
United States District Judge